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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Barber, Elizabeth K. Confirmation No.: 4008  
Serial No.: 09/966,264 Art Unit: 1636  
Filed: September 28, 2001 Examiner: KAUSHAL, Sumesh  
For: GENE EXPRESSION Attorney Docket No: 896034-605001  
CONTROL DNA ELEMENT  
AND ASSOCIATED PROTEIN

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 136(a)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

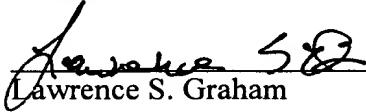
Sir:

It is respectfully requested that the time for response to the Office Action dated May 10, 2004, be extended for a period of two months from August 10, 2004 to and including October 10, 2004. Because October 10, 2004 falls on a Sunday, and October 11, 2004 is Columbus Day, a Federal Holiday observed by the United States Patent and Trademark Office, Applicant submits that the accompanying Amendment, filed on October 12, 2004, the following business day, is timely filed.

The fee for this extension is estimated to be \$215.00. Please charge the required fee to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: October 12, 2004

  
Lawrence S. Graham

(Reg. No. 49,020)

**JONES DAY**  
12750 High Bluff Drive, Suite 300  
San Diego, CA 92130  
(858) 314-1200

10/18/2004 RFEKADU1 00000020 503013 09966264 For: Anthony M. Insogna (Reg. No. 35,203)

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**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, NY 10017  
(212) 326-3939